

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BOARDS OF TRUSTEES OF THE SHEET)
METAL WORKERS LOCAL UNION)
NO. 12 COMBINED FUNDS, BOARDS)
OF TRUSTEES OF THE SHEET METAL)
WORKERS' NATIONAL PENSION)
FUND, BOARD OF TRUSTEES OF THE)
INTERNATIONAL TRAINING)
INSTITUTE FOR THE SHEET METAL)
AND AIR CONDITIONING INDUSTRY,)
BOARD OF TRUSTEES OF THE)
NATIONAL ENERGY MANAGEMENT)
INSTITUTE COMMITTEE, THE)
BOARD OF TRUSTEES OF THE SHEET)
METAL OCCUPATIONAL HEALTH)
INSTITUTE TRUST FUND, and SHEET)
METAL WORKERS' LOCAL UNION)
NO. 12, a/w SHEET METAL WORKERS)
INTERNATIONAL ASSOCIATION,)

Plaintiffs)

vs.)

FOGLIO MECHANICAL, INC.,)

Defendant)

Civil Action No. 2:06-cv-00229-GLL

Judge Gary L. Lancaster

ORDER FOR JUDGMENT AND INJUNCTIVE RELIEF

Motions for Default Judgment brought by the plaintiffs in the above-captioned action were submitted to the Court and subsequently filed with the Clerk. The Court, having duly heard all issues and a decision having been duly rendered, ORDERS as follows:

1. Defendant, Foglio Mechanical, Inc., has failed to plead or otherwise defend as provided by Rule 55(a) of the Federal Rules of Civil Procedure.

2. Defendant, Foglio Mechanical, Inc. has violated the Labor-Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as

amended, and the effective collective bargaining agreement by failing to pay fringe benefit contributions on behalf of its employees to the plaintiffs and by failing to submit to an audit of the Company's books and records by the plaintiffs' designated representative covering the period of April 2003 to the present date.

IT IS HEREBY ORDERED:

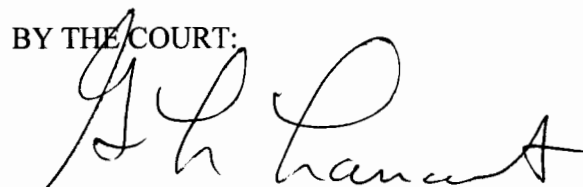
a. That the Clerk of Court is directed to enter judgment in favor of plaintiffs, the Boards of Trustees of the Sheet Metal Workers Local Union No. 12 Combined Funds, Boards of Trustees of the Sheet Metal Workers National Pension Fund, Board of Trustees of the International Training Institute for the Sheet Metal and Air Conditioning Industry, Board of Trustees of the National Energy Management Institute Committee, the Board of Trustees of the Sheet Metal Occupational Health Institute Trust Fund, and Sheet Metal Workers Local Union No. 12, a/w Sheet Metal Workers International Association, and against defendant, Foglio Mechanical, Inc. **in the amount of \$30,813.14**

b. That defendant, Foglio Mechanical, Inc. is to submit within ten (10) days of the date of this Order to an audit of the company's books and records by the plaintiffs' designated representative covering the period of April 2003 to the present date; and

c. That the results of said audit shall be submitted to the Court within ten (10) days of the completion of the audit, and the Clerk of Court shall amend the judgment in favor of the plaintiffs to include all additional unpaid contributions due the plaintiffs, with interest and liquidated damages thereon, as reported by the auditor, along with plaintiffs' costs, attorneys' fees and auditor's fees.

Dated this 6th day of June, 2006.

BY THE COURT:



Gary L. Lancaster, U.S. District Judge